

Wilmington, Delaware  
March 7, 2013

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON,** that the Memorandum of Agreement between the **CITY OF WILMINGTON**, a municipal corporation of the State of Delaware, and the **AMERICAN FEDERATION OF STATE, COUNTY, AND MUNICIPAL EMPLOYEES AFL-CIO, (AFSCME) LOCAL 1102**, is hereby approved and is effective as of the date of execution of the said Memorandum of Agreement, a copy of which is attached hereto and made a part hereof, and the Mayor and City Clerk are hereby authorized to execute as many copies of said Memorandum of Agreement as may be necessary.

#3795

Sponsor:

Council  
Member  
Freel

Co-Sponsor:

Council  
Member  
Cabrera

Passed by City Council  
March 7, 2013

Attest: Maribel Seijo  
City Clerk

Approved as to form this 6<sup>th</sup>  
day of March, 2013.

Michael P. Migliore  
City Solicitor

**SYNOPSIS:** This Resolution approves the Memorandum of Agreement between the City of Wilmington and the American Federation of State, County and Municipal Employees, AFL-CIO (AFSCME) Local 1102, to be effective as of March 7, 2013, the date of execution of said Memorandum of Agreement.

## MEMORANDUM OF AGREEMENT

This Memorandum of Agreement ("Agreement") is between the City of Wilmington (the "City") and AFSCME Local 1102 (the "Union").

### **Recitals**

WHEREAS, the Collective Bargaining Agreement (the "CBA") between the parties expired June 30, 2010 and a new collective bargaining agreement will be negotiated for a mutually agreed upon future period; and

WHEREAS, the parties have not yet agreed to a successor collective bargaining agreement; and

NOW, THEREFORE, the City and the Union agree as follows:

1. The parties agree, effective March 7, 2013, that one (1) Floating Day will be eliminated and Good Friday for non-shift workers/Easter Sunday for shift-workers will be restored as a recognized City Holiday.
2. The parties will continue to bargain in good faith to reach agreement on a successor collective bargaining agreement.
3. Any dispute regarding the interpretation of this Agreement shall be handled pursuant to the grievance procedures set forth in the CBA.
4. The parties acknowledge that all parties have fulfilled their obligation to engage in collective bargaining over the subject contained in this Agreement.
5. To the extent this Agreement conflicts with any provisions of the CBA, City procedures, practices or guidelines, this Agreement shall control.

**FOR THE CITY:**

**FOR THE UNION:**

Karla K. Smith

Dated: 03/07/13

[Signature]

Dated: 3-7-13

Approved as to form this 7<sup>th</sup> day  
of March, 2013

Michael P. Migliore  
City Solicitor